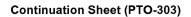
## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)
10/510,646	IMAIZUMI, YASUYUKI
Examiner	Art Unit
JAMES YAGER	1794

	JAMES YAGER	1794			
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress		
THE REPLY FILED <u>22 October 2009</u> FAILS TO PLACE THIS A	PPLICATION IN CONDITION FOR	R ALLOWANCE.			
1.  The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appetor Continued Examination (RCE) in compliance with 37 C periods:	replies: (1) an amendment, affidaviteal (with appeal fee) in compliance	, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request		
a) The period for reply expires <u>3</u> months from the mailing date	of the final rejection.				
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or (MONTHS OF THE FINAL REJECTION. See MPEP 706.07(1)	ater than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE ').	date of the final rejection FIRST REPLY WAS FIL	n. LED WITHIN TWO		
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension and the corresponding amount of the fee. The appropriate extender 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office active set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL					
2. The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed with the Notice of Appeal has been filed.	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the			
AMENDMENTS					
3.  The proposed amendment(s) filed after a final rejection, to (a) They raise new issues that would require further cor (b) They raise the issue of new matter (see NOTE below) They are not deemed to place the application in betappeal; and/or	nsideration and/or search (see NOT w);	E below);			
(d) ☐ They present additional claims without canceling a control NOTE: (See 37 CFR 1.116 and 41.33(a)).	corresponding number of finally reje	cted claims.			
4. The amendments are not in compliance with 37 CFR 1.12	21. See attached Notice of Non-Cor	mpliant Amendment (F	PTOL-324).		
5. Applicant's reply has overcome the following rejection(s):			,		
<ol> <li>Newly proposed or amended claim(s) would be all non-allowable claim(s).</li> </ol>	owable if submitted in a separate, t	imely filed amendmer	t canceling the		
7.  For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is proved the status of the claim(s) is (or will be) as follows: Claim(s) allowed:		be entered and an ex	xplanation of		
Claim(s) objected to: Claim(s) rejected: <u>1-15 and 17</u> .					
Claim(s) withdrawn from consideration:					
<ul> <li>AFFIDAVIT OR OTHER EVIDENCE</li> <li>The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).</li> </ul>					
<ol> <li>The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary</li> </ol>	vercome <u>all</u> rejections under appea and was not earlier presented. Se	ıl and/or appellant fails ee 37 CFR 41.33(d)(1)	s to provide a ).		
10. The affidavit or other evidence is entered. An explanation	n of the status of the claims after er	itry is below or attache	ed.		
REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but	does NOT place the application in	condition for allowand	ce because:		
12. ☐ Note the attached Information <i>Disclosure Statement</i> (s). (13. ☑ Other: See attachment.	PTO/SB/08) Paper No(s)				
/Rena L. Dye/ Supervisory Patent Examiner, Art Unit 1794					



Application No.